S.B.Cr.Misc. Petition No.897/2005

(Meethu Lal vs. Smt. Sohan Devi & Anr.)

Date of order : August 29, 2007

HON'BLE MR.H.R.PANWAR,J.

None present, for the petitioner.
Mr.Pankaj Sharma, for the respondents.

By the instant criminal misc. petition under section 482 Cr.P.C., the petitioner has challenged the order dt. 3.2.2005 passed by the Additional Sessions Judge and Special Judge, SC/ST (Prevention of Atrocities) Cases, Bhilwara (for short 'the revisional court' hereinafter) in Cr.Revision No.44/2004, whereby the revision petition filed by the petitioner against the order dt. 20.6.2003 passed by the Judicial Magistrate, Bhilwara (for short `the trial court' hereinafter) was partly allowed granting monthly allowance of maintenance from the date of application was set aside and modified to the extent from the date of order.

I have gone through the memo of petition and order passed by the trial court on an application filed by the respondents seeking monthly allowance of maintenance under

section 125 Cr.P.C..

The trial court granted monthly allowance of maintenance in favour of respondents at the rate of Rs.500/- each from the date of application. However, on the application by the petitioner, the revisional court modified the order of the trial court to the extent from the date of order. In my view, the order impugned cannot be said to be erroneous. A sum of Rs.500/- per month for an adult person cannot be said to be too excessive, on the contrary, it is hardly an amount to maintain an adult person so far as respondent No.1 is concerned and for respondent No.2 is concerned, he is a minor son of the petitioner, a sum of Rs.500/- per month granted by the courts below cannot be said to be excessive.

The misc. petition has no force and, therefore, the same is hereby dismissed. Stay petition also stands dismissed.

(H.R.PANWAR),J.

m.asif/-